

ORDINANCE NO. 1012

AN ORDINANCE ~~OF~~ THE CITY OF LODI
PROVIDING FOR EXTENSION OF WATER MAINS AND
REIMBURSEMENT THEREOF WITHIN ~~THE~~ CITY OF ~~LODI~~

The City Council of the City of Lodi does hereby ordain as follows:

SECTION 1: WATER MAIN EXTENSION POLICY

The City Council is desirous of adopting a water main extension policy that is fair and equitable to all developing properties and that provides that the cost of extensions shall be distributed among subsequently developing properties connecting thereto.

SECTION 2: WATER MAIN EXTENSION NECESSARY

Whenever a property owner is desirous of obtaining water service where no adequate water main exists, an application shall be made to the Public Works Director for water service.

The Public Works Director shall determine the closest adequate water main, indicate the size of the main to be extended, and the limits of the extension.

SECTION 3: APPLICANT'S OBLIGATION

Whenever the Public Works Director determines that a water main extension is necessary, the applicant will be required to install at his own expense the water main extension in accordance with engineering plans furnished by applicant and approved by the Public Works Director. The plans shall be prepared in accordance with the City water design standards and this ordinance.

SECTION 4: PARCEL FRONTAGE EXTENSION ~~OF~~ WATER MAIN

In every case where a water main is to be extended to serve a parcel, the same shall extend the full frontage of said parcel.

SECTION 5: MINIMUM SIZE OF WATER MAINS

The minimum size water main shall have a nominal inside diameter of six inches. In areas zoned or master planned for commercial and industrial uses, the minimum

size shall be eight inches in diameter. Larger size mains may be required as determined by the Public Works Director from the City of Lodi Master Water Plan.

SECTION 6: FIRE HYDRANTS TO BE INCLUDED

The installation of fire hydrants or provisions therefore shall be included in any main extension and the cost of such hydrants are to be paid for by the applicant, Fire hydrant location and type shall be as approved by the Fire Chief.

SECTION 7: CITY OBLIGATION

Whenever the Public Works Director determines that a water main larger than eight-inch diameter is required, the City shall pay to the applicant the difference in costs of material between the actual water main to be constructed and, an eight-inch diameter water main. The difference in costs of material shall be determined by the Public Works Director from bids received by the City for similar materials. Payment shall be made at the time the water main reimbursement agreement is approved by the City Council.

SECTION 8: REIMBURSEMENT

Whenever an applicant for water main extension constructs or installs a water main that may serve abutting properties, the applicant may apply for a water main extension reimbursement agreement. The Public Works Director shall determine the extent to which the abutting properties may be served and recommend a water main extension agreement to the City Council prior to construction of any water main. In cases where properties served in the future do not abutt the water main included in a reimbursement agreement, an extension will be permitted without reimbursement.

SECTION 9: REIMBURSEMENT AGREEMENT

The water main extension agreement shall contain the following:

- (a) The amount of the reimbursable costs shall be determined by the Public Works Director and subject to the approval of the City Council.
- (b) Reimbursable costs shall include water main construction costs plus an administrative and engineering cost of 10% of the construction cost.

- (c) Water service lines serving individual properties shall not be included as a reimbursable cost.
- (d) There shall be no reimbursement to the applicant in excess of reimbursable costs stated in the agreement.
- (e) No interest, finance or security costs shall be included in the reimbursable cost.
- (f) Reimbursement shall be paid from charges collected by the City from abutting properties as they connect to the new water main.
- (g) Reimbursement shall be paid only from charges collected within ten years from the date of the agreement. The City shall have no obligation to pay reimbursement from any source other than reimbursement funds collected pursuant to this ordinance. Charges collected from abutting properties after ten years shall be retained by the City.
- (h) The charges collected for reimbursement shall be based upon the front footage parallel to the water main of the adjoining properties.
- (i) An administrative cost of 2% of the total reimbursable cost shall be deducted from any monies paid to the City as payment for administering the reimbursement provisions of this ordinance.
- (j) Reimbursement shall be payable to heirs, successors, and assigns of the applicant.

SECTION 10: CITY TO BENEFIT FROM REIMBURSEMENT

Whenever the City has extended or installed a water main that will serve abutting properties, the City shall be eligible for reimbursement in a like manner as other applicants.

SECTION 11: PAYMENT FOR REIMBURSEMENT

Wherever the City Council has approved a water main extension reimbursement agreement, the front footage charges shall be collected by the City from any parcel abutting the water main covered in the agreement at the time of development and prior to water service being provided to the abutting parcel.

SECTION 12: LETTER OF ENTITLEMENT

When payment for reimbursement has been made, the Public Works Director shall prepare a letter of entitlement stating the fees collected, reference to the water main extension reimbursement agreement, the amount to be reimbursed, and the administrative charge to be retained by the City. This letter of entitlement shall be forwarded to the Finance Director for actual reimbursement under terms of the agreement.

SECTION 13: UNCLAIMED REIMBURSEMENT

The Finance Director shall mail the reimbursement to the last address on file with the Finance Director of the applicant in the water main reimbursement agreement. Any reimbursement returned or unclaimed after two years from the date of mailing will revert to the City's general fund.

SECTION 14: EFFECTIVE DATE

The effective date of this ordinance shall be August 1, 1972. Reimbursable costs shall be collected and reimbursed for any water mains accepted for maintenance after that date as outlined in this ordinance. Provided however that property covered by tentative maps or use permits approved by the Planning Commission prior to August 1, 1972 and developed within 18 months of said approval date by the Planning Commission shall not be required to pay reimbursement charges.

SECTION 13: UNCLAIMED REIMBURSEMENT

The Finance Director shall mail the reimbursement to the last address on file with the Finance Director of the applicant in the water main reimbursement agreement. Any reimbursement returned or unclaimed after two years from the date of mailing will revert to the City's general fund.

SECTION 14: EFFECTIVE DATE

This ordinance shall apply to all properties developed after August 1, 1972. Reimbursable costs shall be collected and reimbursed for any water mains accepted for maintenance after that date as outlined in this ordinance. Provided, however, that property covered by tentative maps or use permits approved by the Planning Commission prior to August 1, 1972 and developed within 18 months of said approval date by the Planning Commission shall not be required to pay reimbursement charges.

SECTION 13: PUBLICATION

This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 15th day of August, 1973

RICHARD L. HUGHES
Mayor

Attest: Bessie L. Bennett
City Clerk

State of California

County of San Joaquin, ss.

I, Bessie L. Bennett, City Clerk of the City of Lodi and ex officio Clerk of the City Council of said city, do hereby certify that Ordinance No. 1012 was introduced at a regular meeting of the City Council held August 1, 1973 and was thereafter passed, adopted and ordered to print at a regular meeting held August 15, 1973 by the following vote:

Ayes: Councilmen - EHRHARDT, KATNICH, PINKERTON,
SCHAFER and HUGHES

Noes: Councilmen - None

Absent: Councilmen - None

I further certify that Ordinance No. 1012 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

Bessie L. Bennett
City Clerk